



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/992,546 | 11/06/2001 | Tony Melkent | 5074A0021COA |

CONFIRMATION NO. 1667

27572

HARNESS, DICKEY & PIERCE, PLC
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

FORMALITIES LETTER



OC000000007212366

Date Mailed: 12/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$810.
 - \$558 for 31 total claims over 20.
 - \$252 for 3 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1680.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/26/2002 MBIZUNES 00000043 09992546

| | |
|-----------|-----------|
| 01 FC:101 | 740.00 OP |
| 02 FC:103 | 414.00 OP |
| 03 FC:102 | 252.00 OP |
| 04 FC:105 | 130.00 OP |

JUN 20 2002

✓



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 5074A-000021/COB

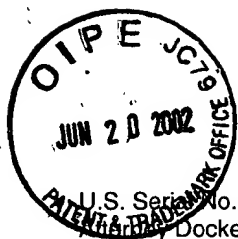
| | | |
|-------------|------------------------|---|
| Art Unit: | To Be Assigned |) |
| | |) |
| Examiner: | To Be Assigned |) |
| | |) |
| Applicants: | Melkent, et al. |) |
| | |) |
| Serial No.: | 09/992,546 |) |
| | |) |
| Filed: | November 6, 2001 |) |
| | |) |
| For: | IMAGE GUIDED SPINAL |) |
| | SURGERY GUIDE, SYSTEM, |) |
| | AND METHOD FOR USE |) |
| | THEREOF |) |

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

TRANSMITTAL OF MISSING PARTS

Dear Sir:

Pursuant to the "Notice To File Missing Parts Of Application - Filing Date Granted" mailed December 19, 2001, enclosed please find a fourteen (14) page Preliminary Amendment, a check in the amount of \$2,976.00 to cover the fees associated with the filing fee (\$740), surcharge for late filing fee (\$130) and additional claims (\$414), additional independent claims (\$252); along with a copy of the Notice to File Missing Parts and associated formal documents.

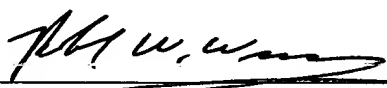


U.S. Serial No. 09/992,546
Docket No. 5074A-000021/COB

If Applicants have not paid a sufficient fee to prevent the abandonment of this application, please charge our Deposit Account No. 08-0750 for any further fees which may be due. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
HARNES, DICKEY & PIERCE, P.L.C.

Date: June 14, 2002

By: 
Richard W. Warner
Reg. No. 38,043

Harnes, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600
Enclosures



Please type a plus sign (+) inside this box → ☐

HDP/SB/21 based on PTO/SB/21 (08-00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | |
|------------------------|------------------|
| Application Number | 09/992,546 |
| Filing Date | November 6, 2001 |
| First Named Inventor | Melkent, et al. |
| Group Art Unit | To Be Assigned |
| Examiner Name | To Be Assigned |
| Attorney Docket Number | 5074A-000021/COB |

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

**copy of Notice to File Missing
Parts; fourteen (14) page
Preliminary Amendment; and
return postcard**

Remarks

**The Commissioner is hereby authorized to charge any
additional fees that may be required under 37 CFR 1.16 or 1.17
to Deposit Account No. 08-0750. A duplicate copy of this
sheet is enclosed.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Harness, Dickey & Pierce, P.L.C.

Attorney Name
Richard W. Warner

Reg. No.
38,043

Signature

Richard W. Warner

Date

June 14, 2002

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name

Richard W. Warner

Signature

Richard W. Warner

Date

June 14, 2002



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Approved for use through 10/31/2002. OMB 0651-0032**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

Complete if Known**TOTAL AMOUNT OF PAYMENT** (\$) 2976

| | |
|----------------------|------------------|
| Application Number | 09/992,546 |
| Filing Date | November 6, 2001 |
| First Named Inventor | Melkent, et al. |
| Examiner Name | To Be Assigned |
| Group / Art Unit | To Be Assigned |
| Attorney Docket No. | 5074A-000021/COB |

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number 08-0750

Deposit Account Name Harness, Dickey & Pierce, P.L.C.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | 740 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1)

(\$) 740

2. EXTRA CLAIM FEES

| | | | | | | | | |
|--------------------|----|--------|---|----|---|----|---|-----|
| Total Claims | 43 | -20 ** | = | 23 | X | 18 | = | 414 |
| Independent Claims | 6 | -3 ** | = | 3 | X | 84 | = | 252 |
| Multiple Dependent | | | | | X | | = | 0 |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$) 666

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Fee Code | Large Entity Fee (\$) | Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|----------|-----------------------|----------|-----------------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 130 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | 1440 |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17 (q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 1570

SUBMITTED BY**Complete (if applicable)**

| | | | | | |
|-------------------|-------------------|---------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Richard W. Warner | Registration No. Attorney/Agent | 38,043 | Telephone | (248) 641-1600 |
| Signature | | | | Date | June 14, 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.